Was deadly force really the main focus?

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Since Nov. 29 the community has been in uproar about the shooting incident that claimed the lives of Timothy Russell and Malissa Williams. Twelve White officers and 1 Hispanic officer fired 137 rounds at Russell and Williams (both Black), following a 22-minute chase. The chase began at theJusticeCenterinClevelandand ended inEast Clevelandwith Russell and Williams dead.

Since the Ohio Attorney General released his findings, there have only been more and more questions about the investigation as opposed to answers. A few Cleveland City Council members expressed issues with the wording DeWine used in talking about theClevelandpolice force.

In his report, all 13 of these officers stated that they felt as though they had no choice other than to discharge their firearms in order to deal with what they believed to be an imminent threat to their safety and the safety of other officers.

Additionally, all other officers from the scene (non-shooters) stated that they too felt deadly force was justified, despite not firing their own weapons. There were varying reasons for not firing (such as not being in a position to fire or recognizing the crossfire situation).

No weapon was present in the subject vehicle at the conclusion of the incident. Investigators conducted a physical search along sparsely inhabited portions of the pursuit route, such as the Steel Yard Commons area, where a firearm could have been discarded without having been readily located. The statements of pursuing officers and radio traffic regarding where a weapon was purported to have been observed also contributed to narrowing the search area.

Also, it was clear at least two officers reported hearing the subject vehicle backfire during the pursuit. This information was not radioed to others. One officer reportedly heard a bang from the vehicle and observed debris in the roadway, incorrectly believing that the vehicle had blown a tire (he radioed his incorrect belief at the time that the vehicle had blown a tire).

An additional radio transmission during the pursuit informed officers that the subjects' vehicle had rammed a zone car. It was later learned that this was an apparent accidental contact during a quick turn during the pursuit. One of the officers' cruisers struck the rear of the subjects' vehicle.

Radio traffic in the area of Dead Man's Curve indicated the incorrect belief that the subject vehicle had lost a tire. Shortly thereafter, an officer transmitted "Passenger just put his hands out asking us to stop. **He does not have a gun**. He had black gloves on. He does not have a gun in his hand." After a few other broadcasts, the officer stated, "There's a pop can in his hand. There's a red pop can in his hand. Just be advised."

Monday night at the City Council meeting Council introduced a resolution supporting the way Cleveland Police Chief Michael McGrath is handing the controversial chase and shooting investigation.

While the resolution does not name McGrath directly, it states: “This Council supports neutrality as the correct position of the City's leaders and affirming the necessity to impartially review the facts and circumstances of the events of November 29, 2012.”

Ward 2 Councilman Zack Reed was one who spoke out about DeWine’s comments but supports his Police Chief. “I support him, but I also support the system that he has set up that says that we want an unbiased system. And that's what this resolution speaks to,” Reed said.

Council may not vote on the resolution until sometime in March. It's headed to the safety committee first, where Chairman Kevin Conwell is also voicing his support for McGrath.

Various religious organizations have come out speaking their minds about what they would like to see. “This shooting has been startling to say the least and has left us asking the question of what’s going on in our neighborhoods,” said United Pastors and Missions President Rev. Larry Harris.

The representatives from United Pastors inMission, the Baptist Ministers Conference and the Pastors Council met at noon at theCuyahogaCountyJusticeCenterto voice their concerns.

“Clergy are greatly concerned that the case is now being tried in the media and the emphasis has moved away from the criminal investigation. We need to let the criminal process continue and we are calling for a fair and unbiased investigation of criminal negligence and the possible use of excessive deadly force, “ said Rev. Dr. Tony Minor, Executive Director of the United Pastors in Mission.

Excluding the initial shots from the first officer to shoot near the grass island, the remaining shots (the audio of which was analyzed from a dash cam recording) lasted approximately 17.8 seconds.

Thirteen officers were determined to have discharged their weapons:

- Patrol Officer Wilfredo Diaz (4 shots)

- Patrol Officer Michael Brelo (approximately 49 shots)

- Patrol Officer Cynthia Moore (19 shots)

- Patrol Officer Michael Farley (4 shots)

- Patrol Officer Brian Sabolik (4 shots)

- Patrol Officer Paul Box (1 shot – shotgun)

- Patrol Officer Randy Patrick (9 shots)

- Patrol Officer Scott Sistek (12 shots)

- Detective Michael Demchak (4 shots)

- Detective Erin O’Donnell (12 shots)

- Detective Christopher Ereg (6 shots)

- Detective Michael Rinkus (13 shots)

- Detective William Salupo (2 shots)

The next step is for Cuyahoga County Prosecutor Tim McGinty to review the documents presented to him and decide what he will do from that point. The community would love to see him turn it over to the justice department.